



Winston H. Hickox
Secretary for
Environmental
Protection

State Water Resources Control Board

Division of Clean Water Programs
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Gray Davis
Governor

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov.

March 30, 2001

TO: All Underground Storage Tank (UST) Facility Owners or Operators

UPCOMING NEW REGULATORY REQUIREMENTS FOR UST SYSTEMS

This letter is to inform you of upcoming new regulatory requirements for underground storage tank systems. These requirements relate to under-dispenser containment, enhanced leak detection for single-walled systems, and secondary containment testing. **Some of these new requirements depend on the location of UST facilities with respect to public drinking water wells. It is important for you to read this letter and attachment carefully to determine if and how your facility will be affected by these new regulatory provisions.**

On February 15, 2001 the State Water Resources Control Board (SWRCB) adopted the proposed regulations (CCR Title 23, Chapter 16) for new underground storage tank facility construction and monitoring. These legal requirements were enacted through Senate Bill 989 (Chapter 812 of 1999). These regulations will become effective after approval by the Office of Administrative Law and subsequent filing with the Secretary of State, which we expect to occur in late May, 2001. The proposed regulations are available on the Internet at: <http://www.swrcb.ca.gov/cwphome/ust/>. The attached flow chart can quickly guide you through the key requirements.

UNDER-DISPENSER CONTAINMENT

Proposed subdivision 2636(h) requires facilities that were installed after July 1, 1987 without under-dispenser containment and are located within 1000 feet of a public drinking water well, to install under-dispenser containment by July 1, 2001. This requirement restates the law, which took effect on January 1, 2000. **This requirement is not dependent on an SWRCB notification letter to the facility owner or operator. It is the responsibility of owners or operators of these facilities to determine themselves if their facility is within 1000 feet of a public drinking water well.** This can be accomplished by accessing Geotracker at: <http://geotracker2.arsenaultlegg.com/>. Using Geotracker is straightforward. However, if you need instructions click on the Geotracker demo button.

All other UST facilities must have under-dispenser containment by December 31, 2003.

ENHANCED LEAK DETECTION

The other SB 989 regulation relating to public drinking water wells is the requirement for enhanced leak detection at UST facilities with a single-walled component located within 1000

feet of a public drinking water well. Owners and operators of these facilities will be directly notified by the SWRCB that their facility is subject to the enhanced leak detection requirement. The 18 month-timeline for implementation of enhanced leak detection starts on the date that you receive the formal notice. A preliminary "early advisory" letter has already been mailed to most owners and operators. However, the formal notice that triggers the enhanced leak detection timeline will not be mailed until shortly after the effective date of the proposed SB 989 regulations. We expect to mail the formal notices in May 2001.

SECONDARY CONTAINMENT TESTING

All secondary containment systems installed prior to January 1, 2001 must have periodic secondary containment testing every 36 months. The initial test must be performed by January 1, 2003. All secondary containment systems installed after January 1, 2001 must be tested at installation, six months after installation, and every 36 months thereafter.

If you have received this letter in error or have already notified the local agency or the SWRCB by internet (GeoTracker), fax, mail or phone, regarding the status of your UST, you do not need to contact us again. If you no longer own an UST and have not yet notified the SWRCB, please check the box below and return to the SWRCB, Division of Clean Water Programs, PO Box 944212, Sacramento, CA 94244-2120, Attention: Deanna Flanagin.

☐ Facility ID: _____ or Facility Name and Address _____

If you have any questions regarding Geotracker, please call (916) 341-5773 and one of the SWRCB computer staff will assist you. If you have any questions regarding the attached regulatory flow chart or the proposed SB 989 regulations, please call Charles NeSmith at (916) 341-5855. For any other questions related to this subject, please call Terry Brazell at (916) 341-5645 or Amy Tong at (916) 341-5762.

Sincerely,

[Original signed by:]
Elizabeth L. Haven, Manager
Underground Storage Tank Program

Attachment

cc: See Next Page

All Underground Storage Tank
Facility Owners or Operators

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cc: Local Implementing Agencies

Local Primacy Agencies

Barbara Evoy, Chief
Division of Clean Water Programs
PO Box 944212
Sacramento, CA 94244-2120

James Giannopoulos, Chief
Regulatory Programs Branch
PO Box 944212
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**FLOW CHART TO DETERMINE APPLICABLE
SB 989 REQUIREMENTS FOR SINGLE-WALLED
AND DOUBLE-WALLED UST SYSTEMS**

MARCH 2001

START HERE

